

REMARKS

Claims 24 to 46 are pending in the application.

The Status of Claims had a correction in the Listing of Claims.

Claim 31 was objected to because of the informality of not having proper antecedent basis.

Claim 31 was rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite for failing to particularly point out the subject matter which Applicants regard as the invention.

Claims 24 to 46 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Kneissl (EP 0831001).

Claims 24 and 29 to 31 have been amended.

Reconsideration of the application based on the following is respectfully requested.

Status of Claims

Correction has been made to the Listing of Claims as requested by the Examiner.

Applicants respectfully request examination of claims 24 to 46.

Claim Objections

Claim 31 was objected to because of the informalities.

Applicants have provided proper antecedent basis for claim 31 by amending claim 30.

Withdrawal of the objection to claim 31 is respectfully requested.

Rejection under 35 U.S.C. § 112, second paragraph

Claim 31 was rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite.

Claim 31 has been amended to better point out the features of the invention.

Claim 31 now recites the stanchion as recited in claim 30, wherein the intermediate lever and the main lever are configured to have a U-shaped cross-section profile, and wherein the U-shaped cross section profiles of the intermediate lever and of the main lever engage one over the other when the stanchion is locked.

Withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, to claim 31 is respectfully requested.

Rejection under 35 U.S.C. § 102(b)

Claims 24 to 46 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Kneissl.

Kneissl discloses a roller arrangement moving in a rail and a pivot member with a locking device. (See Kneissl Abstract).

Claim 24 now recites a stanchion for a tarpaulin structure which can be locked on a fixing member, the stanchion comprising:

- a lever arrangement configured to raise and lock the stanchion,
- a counterbearing, and
- a supporting element insertable between the fixing member and the counterbearing, such that when the stanchion is locked, vertical forces are transmitted through the counterbearing and the supporting element into the fixing member.

Kneissel does not show “a counterbearing, and a supporting element insertable between the fixing member and the counterbearing, such that when the stanchion is locked, vertical forces are transmitted through the counterbearing and the supporting element into the fixing member” as now recited in claim 24. Kneissel discloses a back covering plate 4 as part of the stanchion, which comprises a lower pivot member 5 attached at articulation 6. Articulation 6 is designed as two articulation stubs. Articulation 6 pivotably couples pivot member 5 to the main part of stanchion 1. A push lock bar 18 is assigned to stanchion 1 that can be pushed into pocket 20 to block the stanchion 1 from unintentional opening. This causes articulation 6 to be very vulnerable to the transmission of vertical forces through it. Articulation 6 and therefore the stanchion 1 in Kneissel cannot provide for vertical forces being transmitted through the counterbearing and the supporting element into the fixing member as claimed.

Claim 34 recites a stanchion for a tarpaulin structure which can be locked on a fixing member that includes a lever arrangement having joints and configured to raising and lock the

stanchion, the stanchion comprising:

- a counterbearing; and
- a supporting element insertable between the fixing member and the counterbearing, such that when the stanchion is locked, the joints of the lever arrangement do not transmit any vertical forces.

Kneissel does not show “a supporting element insertable between the fixing member and the counterbearing, such that when the stanchion is locked, the joints of the lever arrangement do not transmit any vertical forces” as recited in claim 34. Kneissel discloses that articulation member 6 is very vulnerable to the vertical forces transmitted from the stanchion 1. Kneissel does not provide a counterbearing so that the joints of the lever arrangement do not transmit any vertical forces as claimed.

Claim 44 recites a stanchion arrangement for a tarpaulin structure, comprising

- a fixing member;
- a stanchion, which can be locked and released from said fixing member, the stanchion comprising a counterbearing; and
- a supporting element insertable between the fixing member and counterbearing.

Kneissel does not show “a stanchion, which can be locked and released from said fixing member, the stanchion comprising a counterbearing; and a supporting element insertable between the fixing member and counterbearing” as recited in claim 44 for the reasons stated above. The previous rejection appears to be based on a misunderstanding of how Kneissel works. A full translation of Kneissel can be prepared if so desired by the Examiner.

Claim 45 recites a tarpaulin frame for a loading area built over by a tarpaulin structure, including longitudinal supports which run above edges of the loading area, wherein the longitudinal supports are supported against the loading area by at least one stanchion arrangement, said stanchion arrangement comprising:

- a fixing member;
- a stanchion, which can be locked and released from said fixing member, the stanchion having a foot region and a counterbearing; and
- a supporting element insertable between the fixing member and counterbearing,

wherein the fixing member is secured in a region of the loading area and the stanchion is locked in the foot region on the fixing member and is supported against a corresponding longitudinal support by means of an upper supporting surface.

Kneissel does not disclose “a stanchion, which can be locked and released from said fixing member, the stanchion having a foot region and a counterbearing; and a supporting element insertable between the fixing member and counterbearing” as recited in claim 45 for at least the reasons stated above.

Withdrawal of the rejection under 35 U.S.C. §102(b) to claims 24 to 46 is therefore respectfully requested.


CONCLUSION

It is respectfully submitted that the application is in condition for allowance and Applicants respectfully request such action.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge any payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,

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